G. R. S. App. F. IX-4]

Previous References.
W 153-42-182.
Legis 2-40-63, 77.
Later References.
W 153-42-586.

1942-3
(War)

War **File No.** 149-42.
Serial Nos. 11 to 15

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Five only.

Part B for January 1943.

SUBJECT.

Amendments to Defence of India Rules.

P. N. Krishnan.
22.1.43.

Amendments to Defence (Indian Rules

General and Revenue Secretariat | W File No. 149 of 1942-3 | [App. F. III—2

Serial No.	
11	From Govt to Resident No 769-42(2)W dt 5/10/42 Incls also circ to notfn dt 19-9-42 amending D of I rules
12	No. 769-42(2)W dt 15/10/42 Incls also circ to notfn dt 26/9
13	769-42(2)W dt 16/10/42 Incls also circ to notfn dt 3/10 and states that notfn is considered undesirable in declaring certain places as protected places, ~~and for~~ subsequent amendments have been incorporated in the new edition of rules under print
	By the omission of the word "notified" in rule 7 it is left open to Govt to notify or not ~~any~~ the order declaring a place as protected according to the circumstances under Centre in this Resy' letter dt 16/1
	It is for orders if a

NOTE—Contd. Sheet.

WD 04155—GPB—55,000—23-10-41

1148/w
1215/w
1247/w.

Annex to D. of Judicial Records

File No. 1347/w. of 194 .

General and Revenue Secretariat

Serial No.

OFFICE OF THE
REGISTRAR FOR U/W
OCT 22 1942
No. 3410

copy of this letter may be sent to the other Secretariats for information & guidance

Sd/ 18/10

Sd 19/10

Noted

Law Dept 22/10

Sd 22/10

Sd 23/10

No 769-42-(2)/w dt 21/10 from Regr inviting attention to notice dt 3/10 of Deputy Dept. amending Defence of India Rules.

Send with the Gazette of India dt 17 containing the amdt. Dr has been incorporated in the new edition. No further action is called for.

Send with a draft memo forwarding copy of letter dt 16/10 to other Secretariats.

Sd 21/10.

Sd 15/11

Memo 1970-84/w 31/10 dated 31st Oct. 42

Desp Dk
Sen Legd

W149-42-11

From

The Secretary to the Hon'ble
the Resident in Mysore.

To

The Chief Secretary to the
Government of Mysore,
Bangalore.

1148

GOVT. OF MYSORE

Memorandum No.F.69-42(2)/W.

Dated Bangalore, the 5th October 1942.

Amendments to the Defence of India Rules.

Attention is invited to the Government of India, Defence Department notifications Nos.531-OR/40 and 1574-OR/42, dated the 19th September 1942, published in Part I of the Gazette of India of the same date.

for SECRETARY TO THE RESIDENT.

VN

W149-42-12-1215 W.

From

The Secretary to the Hon'ble the Resident in Mysore.

War

CHIEF SECRE

14 OCT 1942

OF MYSORE

To

The Chief Secretary to the Government of Mysore, Bangalore.

Memorandum No.F.69-42(2)/J.

Dated Bangalore, the 13th October 1942.

Amendments to the Defence of India Rules.

Attention is invited to the Government of India, Defence Department, Notifications Nos. 1590-OR/42 and 872-S&/41, dated the 26th September 1942, published in Part I of the Gazette of India of the same date.

for SECRETARY TO THE RESIDENT.

JN

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

SECRET. W 1149-42-18. 1247/W.

No. F.69-42(2)/J.

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Dated Bangalore, the 16th October *1942.*

Amendment of rules 7 and 8 of the Defence of India Rules.

SIR,

I am directed to state that objection has been taken on grounds of military security to the publication in official Gazettes of notifications declaring places and areas to be protected under rules 7 and 8 of the Defence of India Rules. Such notifications may advertise that a place or locality has assumed a "war effort" importance which it did not previously possess, and might thus assist the enemy if they came into his possession. Notification is considered to be undesirable especially in respect of the following cases: -

(a) places which are particularly vulnerable to air attack or to sabotage or where damage caused by enemy action would have a serious effect on the war effort, e.g. munition factories and stores, civil power houses, important communication centres and places where troops or stores are loaded or unloaded;

(b) places the notification of which would indicate a new activity or an increase in an existing activity.

2.

2. The Government of India have accordingly amended rules 7 and 8 of the Defence of India Rules as in the enclosed notification which was published in the Gazette of India of the 3rd October 1942. They explain that this will leave it open to the Government making the order to notify or not as the above considerations may appear to indicate, and that it is anticipated that where an order is not notified there will in most cases be little difficulty in giving adequate publicity to the order locally. They also suggest that in cases of doubt a reference should be made to the local military commander. I am therefore to request that such cases may kindly be referred to this Residency. The Government of India add that where a class of places, e.g. aerodromes, is to be declared protected by a general order giving no details of place boundaries etc. there can of course be no objection to notification.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

Copy

W 149-42-14. /347
W

Memo. No.F.69-42(2)/W.

From

The Secretary to the Hon'ble
the Resident in Mysore.

To

The Chief Secretary to
the Government of Mysore,
Bangalore.

Bangalore, 28th Oct. '42.

Amendments to the Defence of India Rules.

Attention is invited to the Government of India, Defence Department, notification No.1696-OR/42 dated the 3rd October 1942, published in Part I of the Gazette of India of the same date.

War
28/10

for SECRETARY TO THE RESIDENT

KSln.

Appendix F. G.—1]

SUBJECT.....

.....

.....

Section W
File No. 149-42.
Serial No. 15

Diary No. of letter replied to.....

Memo No. 1970-84/W dated 31-10-42

To—

General and Revenue Secretariat

( )

the *194* .

Date of issue.....

Signed by.....

Memorandum.

Copy of the above is forwarded with the compliments to Secretariat for information.

D.C.s of Districts

List of enclosures.....

Copied by.....

Examined by.....

To
I.G.P.
D.C.s of Dists
Secretaries of the Sects

for Secretary to the Government

WD 04161—GPB—60,000—24-10-41

SECRET. No.P.69-42(2)/S.

From

The Secretary
to the Hon'ble the Resident in Mysore.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Dated Bangalore, the 16th Octr.1942.

AMENDMENT OF RULES 7 AND 8 OF THE DEFENCE OF INDIA RULES.

Sir,

I am directed to state that objection has been taken on grounds of military security to the publication in official Gazette of notifications declaring places and areas to be protected under rules 7 and 8 of the Defence of India Rules. Such notifications may advertise that a place or locality has assumed a "war effort" importance which it did not previously possess, and might thus assist the enemy if they came into his possession. Notification is considered to be undesirable especially in respect of the following cases : -

(a) places which are particularly vulnerable to air attack or to sabotage or where damage caused by enemy action would have a serious effect on the war effort, e.g., munition factories and stores, civil power houses, important communication centres and places where troops or stores are loaded or unloaded;

(b) places the notification of which would indicate a new activity or an increase in an existing activity.

2. The Government of India have accordingly amended rules 7 and 8 of the Defence of India Rules as in the enclosed notification which was published in the Gazette of India of the 3rd Octr. 1942. They explain that this will leave it open to the Government making the order to notify or not as the above considerations may appear to indicate, and that it is anticipated that where an order is not notified there will in most cases be little difficulty in giving adequate publicity to the order locally. They also suggest that in cases of doubt a reference should be made to the local military commander. I am therefore to request that such cases may kindly be referred to this Residency. The Government of India add that where a class of places, e.g., aerodromes, is to be declared protected by a general order giving no details of place boundaries etc., there can of course be no objection to notification.

I have the honour to be,
Sir,
Your most obedient servant,
Sd. K A K
SECRETARY TO THE RESIDENT.

MEMO NO 1970-84/W. BANGALORE, THE 31ST OCTOBER 1942.

Copy of the above is forwarded with compliments to the Deputy Commissioners of D i s t r i c t s ---- for information.

By Order,

For Chief Secretary to Government.

SECRET. No.F.69-42(2)/W.

From

The Secretary
to the Hon'ble the Resident in Mysore.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Dated Bangalore, the 16th Octr.1942.

AMENDMENT OF RULES 7 AND 8 OF THE DEFENCE OF INDIA RULES.

Sir,

I am directed to state that objection has been taken on grounds of military security to the publication in official Gazette of notifications declaring places and areas to be protected under rules 7 and 8 of the Defence of India Rules. Such notifications may advertise that a place or locality has assumed a "war effort" importance which it did not previously possess, and might thus assist the enemy if they came into his possession. Notification is considered to be undesirable especially in respect of the following cases : -

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(b) places the notification of which would indicate a new activity or an increase in an existing activity.

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I have the honour to be,
Sir,
Your most obedient servant,

Sd. X X X
SECRETARY TO THE RESIDENT.

MEMO NO 1970-84/W. BANGALORE, THE 31ST OCTOBER 1942.

Copy of the above is forwarded with compliments to the

for information.

By Order,

For Chief Secretary to Government.